IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 5418 of 2005

Between:

1 Reddipalli Kishtaiah S/o. Rangaiah
2 Malkaram Yellaiah S/o. Rangaiah
3 Kadigalli Balaiah S/o. Yadaiah
4 Tummaluri Balaiah S/o. Ramaiah
5 Kadigalli Shankaraiah S/o. Late Balaiah
6 Kondagari Sundaram S/o. Lakshmaiah
7 Jangam Ramaiah S/o. Lingaiah
8 Madigalla Rukkamma D/o. Lingaiah
9 Urdas Narasimha S/o. Pentaiah
10 Katika Darshan S/o. Baloji
11 Jangam Laxmaiah, S/o. Venkaiah
12 Seetharampet Venkatamma W/o. Lakshmaiah
13 Changonla Padmaiah S/o. Advaiah
14 Katika Yadilal S/o. Rajoji
15 Kondigari Mariyamma W/o. Devadanam
16 R. Mysamma W/o. Pentaiah
17 Gunugudthy Gandamma W/o. Pentaiah
18 Bygahi Samaiah S/o. Babaiah
19 Kondigari Balaiah S/o. Pedda Jangaiah
20 Anneboina Balamma W/o. Balaiah
21 Rambabh Venkatamma W/o. Shankaraiah
22 Uppalagalla Samaiah S/o. Lakshmaiah
23 Jangam Gouramma, W/o.Lakshmaiah
24 Jangam Sayanna S/o. Balaiah,
25 Kondigari Lakshmamma W/o. Jangaiah
26 Indupati Mallaiah, S/o. Ramaiah,
27 Pothula Ramachandri S/o. Pentaiah
28 Elakagudem Shivaiah, S/o. Sayanna
29 N. Shankaramma W/o. Veeraiah,
30 G. Lakshmamma, W/o. Lingaiah,
31 G. Andrew, S/o. Pentaiah,

ALL THE PETITIONERS ARE RESIDING AT CHILKUR VILLAGE,

MOINABAD MANDAL, R.R. DISTRICT.

... PETITIONERS

AND

1 The District Collector, Ranga Reddy District,
Office at Lakadikapool, Hyderabad.
2 The Mandal Revenue Officer, Moinabad Mandal, R.R. District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, in the nature of Mandamus, declaring the inaction on the part of the 2nd Respondent in not complying with the directions of the 1st Respondent relating to conduct of enquiry, submission of proposals for regularization of an extent of Ac. 1.00 each of the petitioner in Sy.No. 786, situated at Chilkur Village, Moinabad Mandal, R.R. District, which is in consonance of Government Policy, as being illegal, arbitrary, amounting to dereliction of duty.

Counsel for the Petitioners: MRSYED SHAREEF AHMED

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

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ORDER:

This writ petition is filed seeking a declaration that the alleged inaction on the part of the second respondent-Mandal Revenue Officer, in conducting the enquiry for the purpose of regularization of the land to an extent of Ac.1.00 each claimed to be in possession of all the petitioners in Sy.No.786 situated at Chilkur Village, Moinabad Mandal, Ranga Reddy District as arbitrary and illegal. The petitioners state that they have been in possession and enjoyment of the said land from the year 1955 and their names have been entered in all the Revenue Records as “possessors”. It is claimed that in view of their long standing possession, they are entitled for regularisation of the land in their occupation on payment of market value as per the scheme introduced by the Government. Hence, they made several representations, but the respondents failed to consider. Hence, this writ petition.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents.

Learned counsel for the petitioners states that the petitioners have made a representation seeking regularization of the lands in their possession as long back

as on 20-03-2004 and having received the said representation, the first respondent-District Collector directed the second respondent-Mandal Revenue Officer to conduct a detailed enquiry and send proposals for regularization, as sought by the petitioners. However, the second respondent has failed to take any further steps.

Having regard to the facts and circumstances of the case and having heard the learned Counsel for both the parties, without expressing any opinion as to the entitlement of the petitioners for regularisation as sought by them, I deem it appropriate to dispose of the writ petition with a direction to the second respondent – Mandal Revenue Officer to conduct the necessary enquiry as per the endorsement of the 1st respondent dated 28-4-2004 and send the report within a period of four weeks from today. On receipt of such report, the 1st respondent shall pass appropriate orders on the representation of the petitioners within four weeks thereafter. It is made clear that in case the petitioners are aggrieved by any such order, it is open to them to challenge the same by working out appropriate remedy as available under law.

The Writ Petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 17-03-2005

LSK

ASSISTANT REGISTRAR

To.

1 The District Collector, Ranga Reddy District,
Office at Lakadikapool, Hyderabad.
2 The Mandal Revenue Officer, Moinabad Mandal, R.R. District.

3 Two C.Cs. to the G.P. for Revenue, High Court Buildings,
Hyderabad. (OUT)

4 Two C.D. copies.